

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

**UNITED STATES OF AMERICA**

**v.**

**JOHN J. FALL,**

**Defendant.**

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)

**Criminal No.: 1:13-cr-00135-M-LDA**

**GOVERNMENT’S EXHIBITS IN SUPPORT OF MOTION IN LIMINE REQUESTING  
CONTINUOUS JURY INSTRUCTIONS THROUGHOUT TRIAL CONCERNING  
DEFENDANT’S INCORRECT STATEMENTS OF THE LAW**

The United States, by and through undersigned counsel, hereby submits in support of its motion in limine requesting continuous jury instructions throughout trial concerning the defendant’s incorrect statements of the law. The two exhibits submitted herewith are excerpts representing just two examples of the kind of instruction the Government is seeking here delivered by United States District Judge F. Dennis Saylor in a related tax defier case, United States v. William Dion, et al. (D. Mass). One excerpt was delivered toward the beginning of the case and one toward the end. There were repeated instructions to this effect throughout trial. One defendant appealed these instructions and the First Circuit affirmed their use. United States v. Adams, 740 F.3d 40, 46 (1st Cir. 2014). They will be necessary to prevent jury confusion.

Respectfully submitted,

UNITED STATES OF AMERICA,  
By its Attorneys,

PETER F. NERONHA  
United States Attorney

By: /s/John N. Kane, Jr.  
JOHN N. KANE, JR.  
Assistant Chief  
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By: /s/Jeffrey Bender

JEFFREY BENDER

Trial Attorney

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Fax: (202) 514-8455

Date: January 12, 2015

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed, with the Clerk of Court using the CM/ECF system, a true and accurate copy of the within EXHIBITS IN SUPPORT OF GOVERNMENT'S MOTION IN LIMINE REQUESTING CONTINUOUS JURY INSTRUCTIONS THROUGHOUT TRIAL CONCERNING DEFENDANT'S INCORRECT STATEMENTS OF THE LAW which will in turn send notification to:

Kevin Fitzgerald, Esq.  
Federal Public Defender Office  
10 Weybosset Street  
Suite 300  
Providence, RI 02903  
401-528-4281

I further certify that on or before January 12, 2015, I caused the within EXHIBITS IN SUPPORT OF GOVERNMENT'S MOTION IN LIMINE REQUESTING CONTINUOUS JURY INSTRUCTIONS THROUGHOUT TRIAL CONCERNING DEFENDANT'S INCORRECT STATEMENTS OF THE LAW to be served via Federal Express to:

John J. Fall  
108 Princess Avenue  
Cranston, RI 02902

/s/John N. Kane, Jr.  
JOHN N. KANE, JR.  
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United States Department of Justice, Tax Division  
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Date: January 12, 2015